

26. (amended) Crystals comprising zinc, and a GLP-1 analog wherein the crystals have a tetragonal flat rod shaped or plate-like morphology and the GLP-1 analog is a peptide of the formula:

B3  
R<sub>1</sub>-X-Glu-Gly-Thr-Phe-Thr-Ser-Asp-Val-Ser-Ser-Tyr-Leu-Y-Gly-Gln-Ala-Ala-Lys-Z-Phe-Ile-Ala-Trp-Leu-Val-Lys-Gly-Arg-R<sub>2</sub> SEQ ID NO:2

wherein: R<sub>1</sub> is selected from the group consisting of L-histidine, D-histidine, desamino-histidine, 2-amino-histidine, beta-hydroxy-histidine, homohistidine, alpha-fluoromethyl-histidine, and alpha-methyl-histidine; X is selected from the group consisting of Ala, Gly, Val, Thr, Met, Ile, and alpha-methyl-Ala; Y is selected from the group consisting of Glu, Gln, Ala, Thr, Ser, and Gly; Z is selected from the group consisting of Glu, Gln, Ala, Thr, Ser, and Gly; and R<sub>2</sub> is selected from the group consisting of NH<sub>2</sub>, and Gly-OH.

#### Remarks

The Examiner noted that the sequence listing filed Nov. 30, 2001, has been approved by STIC for matters of form. The sequence listing, however, contains several duplicate sequences. Thus, Applicants have deleted these sequences and are refiling the sequence listing with this response. Further, SEQ ID NOs. generated from the new sequence listing have been incorporated into the Specification with the Amendment above so there is clear correspondence between the listing and sequences or compounds named in the Specification.

The cross-reference to related applications has been amended as requested by the Examiner.

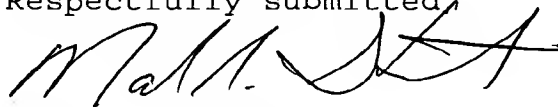
Claims 26-31 are objected to for several informalities. Applicants have amended Claim 26 to correct the spelling of "histidine" and "from" and have capitalized "Ser." The

Serial No. 09/997,792

Examiner indicated the pending claims would be allowable if amended to correct these typographical errors.

In view of the remarks and amendments provided herein above, it is respectfully submitted that all objections to the Claims and Specification have been overcome.

Respectfully submitted,



Mark J. Stewart  
Attorney for Applicants  
Registration No. 43,936  
Phone: 317-276-0280

Eli Lilly and Company  
Patent Division/MJS  
Lilly Corporate Center  
Indianapolis, Indiana 46285

September 30, 2002

Serial No. 09/997,792



Attachment A

RECEIVED

OCT 08 2002

TECH CENTER 1600/2900

Marked-up copy of amendments as required by  
37 C.F.R. § 1.121(b)(1)(iii)

Replacement paragraph beginning on p. 5, line 12:

"GLP-1 analog" is defined as a molecule having one or more amino acid substitutions, deletions, inversions, or additions relative to GLP-1(7-37) and may include the d-amino acid forms. Numerous GLP-1 analogs are known in the art and include, but are not limited to, GLP-1(7-34) (SEQ ID NO:6), GLP-1(7-35) (SEQ ID NO:7), GLP-1(7-36)NH<sub>2</sub> (SEQ ID NO:8), Gln<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:9), d-Gln<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:10), Thr<sup>16</sup>-Lys<sup>18</sup>-GLP-1(7-37) (SEQ ID NO:11), and Lys<sup>18</sup>-GLP-1(7-37) (SEQ ID NO:12), Gly<sup>8</sup>-GLP-1(7-36)NH<sub>2</sub> (SEQ ID NO:13), Gly<sup>8</sup>-GLP-1(7-37)OH (SEQ ID NO:14), Val<sup>8</sup>-GLP-1(7-37)OH (SEQ ID NO:5), Met<sup>8</sup>-GLP-1(7-37)OH (SEQ ID NO:15), acetyl-Lys<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:16), Thr<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:17), d-Thr<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:18), Asn<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:19), d-Asn<sup>9</sup>-GLP-1(7-37) (SEQ ID NO:20), Ser<sup>22</sup>-Arg<sup>23</sup>-Arg<sup>24</sup>-Gln<sup>26</sup>-GLP-1(7-37) (SEQ ID NO:21), Arg<sup>23</sup>-GLP-1(7-37) (SEQ ID NO:22), Arg<sup>24</sup>-GLP-1(7-37) (SEQ ID NO:23), α-methyl-Ala<sup>8</sup>-GLP-1(7-36)NH<sub>2</sub> (SEQ ID NO:24), and Gly<sup>8</sup>-Gln<sup>21</sup>-GLP-1(7-37)OH (SEQ ID NO:25), and the like.

In the Claims:

26. (amended) Crystals comprising zinc, and a GLP-1 analog wherein the crystals have a tetragonal flat rod shaped or plate-like morphology and the GLP-1 analog is a peptide of the formula:

R<sub>1</sub>-X-Glu-Gly-Thr-Phe-Thr-Ser-Asp-Val-Ser-Ser-Tyr-Leu-Y-Gly-Gln-Ala-Ala-Lys-Z-Phe-Ile-Ala-Trp-Leu-Val-Lys-Gly-Arg-R<sub>2</sub>      SEQ ID NO:2

B

Serial No. 09/997,792

wherein:  $R_1$  is selected from the group consisting of [L-hisistidine] L-histidine, D-histidine, desamino-histidine, 2-amino-histidine, beta-hydroxy-histidine, homohistidine, alpha-fluoromethyl-histidine, and alpha-methyl-histidine; X is selected [form] from the group consisting of Ala, Gly, Val, Thr, Met, Ile, and alpha-methyl-Ala; Y is selected from the group consisting of Glu, Gln, Ala, Thr, Ser, and Gly; Z is selected from the group consisting of Glu, Gln, Ala, Thr, [ser] Ser, and Gly; and  $R_2$  is selected from the group consisting of  $NH_2$ , and Gly-OH.